

**Fax**☐ Urgent☐ Return reply requested☐ Original will be sent as confirmation**To: United States Patent & Trademark Office** **Date:** November 25, 2008**Attention:** Examiner Thomas J. Cleary**For: Configurable Prioritization of Core
Generated Interrupts****From:** Timothy A. Doyle *TAO***Pages** (including cover sheet): 3**Appl. Serial No.** 09/977,089**Fax No:** (571) 273-3624**Our Reference:** 1778.2930000 (0139.00US)

Message

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Applicant Initiated Interview Request Form

Application No.: 09/977,089 First Named Applicant: G. Michael UHLER
 Examiner: Thomas J. Cleary Art Unit: 2111 Status of Application: Pending

Tentative Participants:

(1) Examiner Cleary (2) Timothy A. Doyle
 (3) David C. Isaacson (4) _____

Proposed Date of Interview: November 26, 2008 Proposed Time: 10:00AM AM/PM

Type of Interview Requested:

(1) ☒ Telephonic (2) ☐ Personal (3) ☐ Video Conference

Exhibit To Be Shown or Demonstrated: ☐ YES ☒ NO

If yes, provide brief description: N/A

Issues To Be Discussed

Issues (Rej., Obj., etc)	Claims/ Fig. #s	Prior Art	Discussed	Agreed	Not Agreed
(1) <u>Rej.</u>	<u>Claims 1-7,</u>	<u>MCF5206 User's</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(2) _____	<u>9-24, 26, 27,</u>	<u>Manual</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(3) _____	<u>29-32, and 40-43</u>	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(4) <u>Finality of Office</u>	<u>Action</u>	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☒ Continuation Sheet Attached

Brief Description of Argument to be Presented:

Page 7-10 of MCF5206 recites, in part, "[e]ach interrupt input must have a unique interrupt level and interrupt

priority combination." Because MCF5206 discloses that each interrupt must have an interrupt level and an interrupt

priority and (go to attached Continuation Sheet)

An interview was conducted on the above-identified application on _____.

NOTE: This form should be completed by applicant and submitted to the examiner in advance of the interview (see MPEP § 713.01).

This application will not be delayed from issue because of applicant's failure to submit a written record of this interview. Therefore, applicant is advised to file a statement of the substance of this interview (37 CFR 1.133(b)) as soon as possible.

 Applicant/Applicant's Representative Signature

Timothy A. Doyle

 Typed/Printed Name of Applicant or Representative

51,262

 Registration Number, if applicable

 Examiner/SPE Signature

This collection of information is required by 37 CFR 1.133. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.
 If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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Continuation Sheet

U.S. Patent Application No.09/977,089

Examiner Thomas J. Cleary

Art Unit: 2111

(from Brief Description of Arguments to be Presented) because in the MCF5206 interrupt priorities of external interrupts are programmable, it follows that MCF5206 discloses no mode in which interrupts (i.e., interrupt level and interrupt priorities) are fixed. For at least this reason, claims 1-7, 9-24, 26, 27, 29-32, and 40-43 are patentable over the applied art.

Moreover, the finality of the current Office Action is improper. That is, the current Office Action does not comply with the requirements for issuing a final Office Action in the first response to a Request for Continued Examination because the Amendment and Reply filed August 14, 2008, with the Request for Continued Examination would *not* have been properly finally rejected in the current Office Action had it been filed before filing the Request for Continued Examination. (See M.P.E.P. § 706.07(b).) The arguments included in the most recent Amendment and Reply successfully overcome the rejections made in the April 14, 2008, Office Action and in the current Office Action. Applicant's additional argument, presented above, is based on information available to the Examiner in MCF5206.